

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001 :

: **NOTICE OF LIS PENDENS**

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: 03 MDL 1570 (GBD) (FM)

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This Document Relates to
Havlish v. bin Laden,
03 Civ. 9848 (GBD) (FM)

NOTICE OF LIS PENDENS

TO WHOM IT MAY CONCERN:

Pursuant to 28 U.S.C. §1605A(g), a lien of *lis pendens* has been established with respect to the property of the Islamic Republic of Iran and fifteen (15) of its political subdivisions, and agencies and instrumentalities, that are named as Defendants in the action captioned *Havlish, et al. v. bin Laden, et al.*, 1:03-md-01570 (GBD) (FM); 1:03-cv-09848 (GBD) (FM). A list of these Defendants, and entities controlled by these Defendants, is attached to this Notice of *Lis Pendens* as **Exhibit A**.

The Plaintiffs in *Havlish, et al. v. bin Laden, et al.* sought to hold the Islamic Republic of Iran and its terrorist proxy, Hezbollah, accountable for providing direct and material support to al-Qaeda in planning and executing the terrorist attacks of September 11, 2001, which resulted in extrajudicial killings that occurred in New York, New York, Washington, D.C. and Shanksville, Pennsylvania. The judgment entered on October 12, 2012, in *Havlish, et al. v. bin Laden, et al.* by Judge George B. Daniels of the United States District Court for the Southern District of New York is in the amount of one billion, three hundred sixty-two million, two hundred seventy-seven thousand, eight hundred eighty-four United States dollars (\$1,362,277,884) in compensatory damages and four billion, six hundred eighty-six million, two hundred thirty-five thousand, nine hundred twenty-one United States dollars (\$4,686,235,921) in punitive damages. The total award is six billion, forty-eight million, five hundred thirteen thousand, eight hundred and five United States dollars (\$6,048,513,805). A copy of the Order and Judgment issued by the Honorable George B. Daniels of the U.S. District Court for the Southern District of New York, which contains a complete list of the parties asserting this *lis pendens*, is attached to this Notice of *Lis Pendens* as **Exhibit B**. A copy of the Third Amended Complaint in *Havlish et al., v. bin Laden, et al.* is attached to this Notice of *Lis Pendens* as **Exhibit C**.

Additionally, a lien of *lis pendens* has been established with respect to ten (10) entities controlled by the Defendants in *Havlish et al. v. bin Laden et al.* pursuant to the Notice of Pending Action filed by the *Havlish* Plaintiffs and as permitted by 28 U.S.C. §1605A(g)(1)(C). The Notice of Pending Action is attached to this Notice of *Lis Pendens* as **Exhibit D**.

For purposes of this Notice of *Lis Pendens*, “property” of Defendants, or an entity controlled by Defendants, is afforded the same meaning as that found at 31 CFR §560.325 of the Iranian Transactions Regulations, unless such property is specifically exempt from attachment or execution by the Foreign Sovereign Immunities Act (“FSIA”), 28 U.S.C. §1602 *et seq.* For purposes of referencing definitions, a copy of the relevant provisions of the Iranian Transaction Regulations is attached hereto as **Exhibit E**. A copy of the Foreign Sovereign Immunities Act is attached to this Notice of *Lis Pendens* as **Exhibit F**.

Included for purposes of this Notice of *Lis Pendens* is property of any Defendant, or an entity controlled by Defendant, that is a blocked or frozen asset as contemplated by the Terrorism Risk Insurance Act, Pub. L. No. 107-297, 116 Stat. 2322 (2002), any Executive Order issued by the President of the United States pursuant to the International Emergency Economic Powers Act, 50 U.S.C. §1701 *et seq.*, or the regulations promulgated pursuant to any such Executive Order by the U.S. Department of the Treasury, U.S. Department of State, and/or the Office of Foreign Assets Control, including the Iranian Transaction Regulations found at 31 CFR Part 560.

The holder of any property of Defendants who transfers such property subsequent to receiving this Notice may be liable to the *Havlish* Plaintiffs for a fraudulent conveyance. “Transfer” is afforded the same meaning for purposes of this Notice as found at 31 CFR §560.326 of the Iranian Transactions Regulations.

A copy of the Order issued by the Honorable George B. Daniels approving the form of this Notice of *Lis Pendens* is attached hereto as **Exhibit G**.

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